

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

CRP.No. 485 of 2007()

AGAINST THE ORDER DATED 23/05/2007 IN EP. 372 /2006 IN
OS.439/2004 of PRINCIPAL SUB COURT,ERNAKULAM
.....

REVN. PETITIONER: PETITINER/1ST DEFENDANT

T.RAVIKUMAR, AGED 56 YEARS,
S/O.LATE T.V.PRABHAKARAN, ADVOCATE, XL/1163,
THARAYIL HOUSE, PONOTH ROAD, KALOOR,
KOCHI-17.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: PLAINTIFF

1. SMT.REMA RAJAN,
W/O.RAJAN, AGED 55 YEARS,
RESIDING AT "ASHIRWAD", ELAMAKKARA ROAD,
EDAPPALLY, KOCHI-24.
2. DR.T.UNNIKRISHNAN,
AGED 54 YEARS, T.C.15/788, USRA 2/4,
JAYAMANSION COMPOUND, VELLAYAMBALAM,
THIRUVANANTHAPURAM- 10.

R1 BY ADV. SRI.T.B.THANKAPPAN
SMT.P.V.RADHAMANI
R2 BY ADV SRI.N.V.RAMACHANDRAN

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 14/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

ORDER ON I.A. 1271/07 IN C.R.P. 485/07

DISMISSED:

14/8/2007

SD/- M.N.KRISHNAN, JUDGE

jj

/TRUE COPY/

P.A. TO JUDGE

M.N.KRISHNAN, J.

C.R.P.No. 485 OF 2007 A

Dated this the 14th August, 2007.

O R D E R

This revision petition is preferred against the order of the Subordinate Judge, Ernakulam in E.P.372/06 in O.S.439/04. A contention was raised to the effect that a compromise decree is only a preliminary decree and therefore it is unexecutable. When the matter came up for consideration before this Court, considering relationship of the parties and the document this Court persuaded them to have a settlement. An affidavit is filed by the revision petitioner whereby he requests the court to permit him to pay the amount at the rate of Rs.10,000/- per month. The other side is not happy with the same and, therefore this Court suggested a way out and decided to fix the time limit for payment of the amount. Accordingly the C.R.P is disposed of as follows:-

(i) The civil revision petitioner is directed to pay an amount of Rs.1 lakh to the decree holder on or before 14.9.2007.

(ii) The revision petitioner is directed to pay the balance amount of Rs.2,50,000/- within a period of three months from 13.9.2007. If there is default, I permit the

decree holder to get the decree executed in accordance with law.

M. N. KRISHNAN
Judge

jj